IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 12292 of 2005

For Approval and Signature:

HONOURABLE MS. JUSTICE R.M.DOSHIT

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SULEMAN ALI PATEL - Petitioner(s)
Versus
DIVISION CONTROLLER & 1 - Respondent(s)

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Appearance :
MR MA SAPA for MR LR PATHAN for Petitioner(s) : 1,
MS SEJAL K MANDAVIA for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MS. JUSTICE R.M.DOSHIT

Date : 06/09/2006

ORAL JUDGMENT

The petitioner before this Court is the former employee of the respondent – Gujarat State Road Transport Corporation (hereinafter referred to as, **“the Corporation”**). Initially, the petitioner was

appointed as Conductor. Thereafter, in the year 1958 he was appointed as Driver. By order dated 13th January, 1995, the petitioner was retired from service on medical grounds. Pursuant to the said retirement of the petitioner, his daughter one Saidabanu applied for compassionate employment in the Corporation. Nevertheless, the said Saidabanu has not yet been employed by the Corporation. Therefore, the present petition.

It is the case of the petitioner that the Corporation had, on 21st December, 1989, entered into a settlement with its employees. Under the said settlement, the Corporation had agreed that one of the members of the family of the servant of the Corporation who has retired from service on medical grounds shall be given compassionate employment in the Corporation. The petitioner has, therefore, prayed that his daughter Saidabanu be given compassionate employment in the Corporation.

It is admitted that the said Saidabanu has attained majority. It was she who had applied for

employment on compassionate grounds on 6th February, 2003. In my opinion, it is the said Saidabanu alone who has a right to claim relief against the Corporation. The present petition filed by her father is without the authority of law. The petition is dismissed on the ground of *locus standi* alone. Rule is discharged. There shall be no order as to cost.

(Ms. R.M.Doshit, J.)

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